

# COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

**AGENDA ITEM:** January 2016 – O-101

**DATE:** January 22, 2016

**TO:** Committee of Bar Examiners

**FROM:** Gayle Murphy, Senior Director, Admissions

**SUBJECT:** **Committee Planning Session – The Future of California Accreditation and Registration by the Committee of Bar Examiners and Regulations, Rules and Guidelines Requiring Additional Amendments**

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## BACKGROUND

During its meeting on March 13, 2015, the Board of Trustees approved the Committee of Bar Examiners' (Committee) proposal as follows:

**RESOLVED**, that following a period of public comment and consideration of the public comment received, and upon recommendation of the Board Committee on Admissions and Education, the Board approves the proposed amendments to the: 1) California Rules of Court – Chapter 3. Legal Education, Rule 9.30. Law School Study in Schools Accredited or Registered by the Committee of Bar Examiners, 2) Business and Professions Code Sections 6046.7 and 6060.7, 3) Article 4 Admission to the Practice of Law, Business and Professions Code Section 6060, Qualifications, Examination and Fees, 4) State Bar Rules, Title 4. Admissions and Educational Standards, Division 2. Accredited Law School Rules and, 5) State Bar Rules, Title 4. Admissions and Educational Standards, Division 3. Registered Law School Rules as attached hereto; and it is

**FURTHER RESOLVED**, that staff be directed to pursue adoption of the proposed amendments to the Rule of Court and Business and Professions Code.

Attached are the proposed amendments to the Court Rules, the Business and Professions Code and the State Bar Rules.

## DISCUSSION

In preparing the memorandum to the Court and with the passage of time, it has been determined that additional or revised proposals should be considered by the Committee

prior to submitting these proposals formally to the Supreme Court, which is why this item has been placed on the Committee's planning meeting agenda.

In particular, it has been suggested that the Committee further consider whether all unaccredited law schools be required to become provisionally accredited law schools within a limited amount of time, say three years, of the date the proposed amendments have been adopted; that the track for new schools seeking registration be provisional accreditation and be reduced from ten years to five; phasing out the *Unaccredited Law School Rules*; proposing amendments to Section 6060 to eliminate the three administrations opportunity and return it to having to pass the first-year examination before advancing into the second year of law study; that online education be sufficiently defined to ensure that it adequately provides an educational experience similar to what would be found in an accredited classroom and requiring that a certain portion of the study be synchronous and conducted in real time, and other transitional rules.

### **RECOMMENDATION**

It is recommended that a public forum be held on March 17, 2016, at the State Bar Offices in San Francisco beginning at 1:00 p.m. to discuss the proposed amendments to the rules regulating law schools, which will be provided by staff with the Notice of the Public Forum.

### **PROPOSED MOTION**

Should the Committee agree with the above recommendation, the following motion would be appropriate:

Move, that a public forum be held on March 17, 2016 in the San Francisco State Bar offices to discuss proposed amendments to the rules and statutes that govern the regulation of law schools by the Committee and that staff prepare additional proposal amendments to the statutes and rules that conform with the consensus reached at this meeting, which will be attached to the Notice of the Public Forum.